

UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

BENCHMARK PROPERTIES

Plaintiff(s),

No. C 10-01925 LB

v.

CONSUELO PEREZ

**ORDER DIRECTING DEFENDANT
TO FILE CONSENT/DECLINATION
FORM**

Defendant(s).

Pending before the Court is Defendant's Motion to Proceed *In Forma Pauperis* (Dkt. # 2).

Upon review of the record in this action, the Court notes that Defendant has not filed a written consent to Magistrate Judge Beeler's jurisdiction. This civil case was randomly assigned to Magistrate Judge Beeler for all purposes including trial. In accordance with 28 U.S.C. § 636(c), the magistrate judges of this district court are designated to conduct any and all proceedings in a civil case, including trial and entry of final judgment, upon the consent of the parties. An appeal from a judgment entered by Magistrate Judge Beeler may be taken directly to the United States Court of Appeals for the Ninth Circuit in the same manner as an appeal from any other judgment of a district court.

You have the right to have your case assigned to a United States District Judge for trial and

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1 disposition. Accordingly, Defendant shall inform the Court whether Defendant consents to
2 Magistrate Judge Beeler's jurisdiction or requests reassignment to a United States District Judge for
3 trial. The consent/declination form shall be filed by May 20, 2010.

4 **IT IS SO ORDERED.**

5
6 Dated: May 6, 2010



LAUREL BEELER
United States Magistrate Judge

UNITED STATES DISTRICT COURT

Northern District of California

Oakland Division

BENCHMARK PROPERTIES,

Plaintiff(s),

v.

CONSUELO PEREZ,

Defendant(s).

No. C 10-01925 LB

**CONSENT TO PROCEED BEFORE A
UNITED STATES MAGISTRATE JUDGE**

CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE

In accordance with the provisions of Title 28, U.S.C. § 636(c), the undersigned party hereby consents to have a United States Magistrate Judge conduct any and all further proceedings in the case, including trial, and the entry of a final judgment. Appeal from the judgment shall be taken directly to the United States Court of Appeals for the Ninth Circuit.

Dated: _____

Signature

Counsel for _____
(Plaintiff, Defendant or indicate "pro se")

UNITED STATES DISTRICT COURT
Northern District of California
Oakland Division

BENCHMARK PROPERTIES,

Plaintiff(s),

v.

CONSUELO PEREZ,

Defendant(s).

No. C 10-01925 LB

**DECLINATION TO PROCEED BEFORE
A MAGISTRATE JUDGE
AND
REQUEST FOR REASSIGNMENT TO A
UNITED STATES DISTRICT JUDGE**

REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE

The undersigned party hereby declines to consent to the assignment of this case to a United States Magistrate Judge for trial and disposition and hereby requests the reassignment of this case to a United States District Judge.

Dated: _____

Signature_____

Counsel for _____
(Plaintiff, Defendant, or indicate "pro se")